IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 11654 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE Y.B.BHATT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

NARESHKUMAR BALDEVBHAI PATEL

Versus

REGIONAL PASSPORT OFFICER & ANR.

Appearance:

1. Special Civil Application No. 11654 of 2001

MR MAHESH BHAVSAR for Petitioner

MR NJ SHAH for MR DN PATEL for Respondents

CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 14/12/2001

ORAL JUDGEMENT

1. Heard the learned counsel for the petitioner.

2. Rule. Mr. N.J. Shah for Mr. D.N. Patel, learned Standing Counsel, appears and waives service of Rule on behalf of respondent nos. 1 and 2.

3. The short controversy on the facts of the case, and the grievance of the petitioner, arise from the fact that according to the petitioner, the birth date reflected in the passport issued to him is not the correct birth date. Although the petitioner has presented ample material to show that his correct birth date is 3rd October, 1962, the birth date shown in the passport is 3rd October, 1963. The petitioner attempted to get his birth date in the passport corrected, but, the respondents have not effected the necessary correction apparently on the ground that the respondents have no authority to do so.

4. However, as a result of hearing and discussion, by consensus between the learned counsel for the parties, it is directed that the respondents shall consider the present petition as a representation on the subject, and decide the same preferably within one month of the service of the order. If the respondents are satisfied as to factual data upon which this entry is sought to be corrected, the concerned respondent shall carry out the necessary correction. It is clarified that if the respondents authorities are satisfied as aforesaid, the correct birth date shall be accordingly entered in the new passport, which may have to be issued, and a new passport shall accordingly be issued without the formality of making a fresh application therefor.

It is, accordingly, so directed.

5. In view of the aforesaid directions, the learned counsel for the petitioner states that the grievance made in the petition no longer survives. The petition is, therefore, disposed of. Rule is discharged. No order as to costs. Direct service is permitted.

(Y.B. Bhatt, J.)

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